

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 15-60860

United States Court of Appeals
Fifth Circuit

FILED

August 7, 2017

Lyle W. Cayce
Clerk

NLRB Docket No. 14-CA-075249
NLRB Docket No. 14-CA-083936

CONVERGYS CORPORATION,

Petitioner Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent Cross-Petitioner

On Petition for Review and Cross-Application
for Enforcement of an Order of the
National Labor Relations Board

Before HIGGINBOTHAM, ELROD, and HIGGINSON, Circuit Judges.

J U D G M E N T

This cause was considered on the petition of Convergys Corporation for review and cross-application for enforcement of an order of the National Labor Relations Board and was argued by counsel.

It is ordered and adjudged that the petition for review is granted and the Board's cross-application for enforcement is denied.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

STEPHEN A. HIGGINSON, Circuit Judge, concurring in the judgment.

PATRICK E. HIGGINBOTHAM, Circuit Judge, dissenting.



**Certified as a true copy and issued
as the mandate on Sep 29, 2017**

Attest: *Lyfe W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit